

RICK A. YARNALL, TRUSTEE
CHAPTER 13 BANKRUPTCY TRUSTEE
701 BRIDGER ST, SUITE 820
LAS VEGAS, NV 89101
(702) 853-4500

E-FILED: 3/30/10

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

RE:

JOSEPH & CHERYL BALLARD

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)
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BKS-09-12690-BAM
Chapter 13

PRE-CONFIRMATION MEETING

Meeting Date: 4/29/10
Meeting Time: 8:30 AM

THOMAS CROWE, ESQ.
Attorney for Debtor(s)

MODIFIED CONFIRMATION HEARING

Hearing Date: 4/29/10
Hearing Time: 1:30 PM

**TRUSTEE'S OPPOSITION TO CONFIRMATION OF POST-CONFIRMED PLAN #4
COMBINED WITH TRUSTEE'S RECOMMENDATION FOR DISMISSAL**

The Trustee herein, Rick A. Yarnall, hereby objects to confirmation of proposed Plan #4 and recommends dismissal for the reason(s) which follow:

(X) Plan has not been proposed in good faith under §1325(a)(3).

(X) Debtor(s) is delinquent in Plan payments pursuant to the proposed Plan in the amount of \$815.00 and are responsible for all future payments that become due under the proposed Plan.

(X) Need to provide a copy of the 2009 tax return(s) along with any refund(s) received.

(X) The following corrections need to be made to the proposed plan:

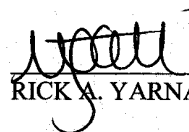
(X) strike "less debtor attorney fees" in Paragraph 2.20 Class 10.

(X) Other:

1. The next payment of \$815.00 will be due on 4/27/10 under the terms of the proposed modified plan.
2. Trustee will not confirm the proposed Plan #4 prior to the next plan payment being made under the terms of the proposed plan.
3. Trustee cannot complete his review of the case without the requested information.
4. Trustee reserves the right to make further objections after receipt of the above requested items.

THEREFORE, the Trustee objects to Confirmation for the foregoing reasons and recommends that this case be dismissed.

Date: 3-30-10



RICK A. YARNALL, TRUSTEE

CERTIFICATE OF NOTICEDistrict/off: 0978-2
Case: 09-12690User: ruhgejd
Form ID: pdf891Page 1 of 2
Total Noticed: 36

Date Rcvd: Mar 31, 2010

The following entities were noticed by first class mail on Apr 02, 2010.

db/jdb +JOSEPH H. BALLARD, CHERYL BALLARD, 8045 SECRETARIAT LANE, LAS VEGAS, NV 89123-2057
 cr +Ocwen Loan Servicing, LLC, its assignees and/or su, c/o McCarthy & Holthus, LLP,
 1770 Fourth Avenue, San Diego, CA 92101-2607
 cr +PRA Receivables Management LLC, POB 41067, Norfolk, VA 23541-1067
 cr WILSHIRE CREDIT CORP, POB 1650, PORTLAND, OR 97207-1650
 4110902 +AMERICA'S SERVICING CO, ONE HOME CAMPUS, DES MOINES, IA 50328-0001
 4089744 +AMERICAN EXPRESS, PO BOX 981535, EL PASO, TX 79998-1535
 4715580 AMERICAN EXPRESS BANK FSB, C/O BECKETT AND LEE LLP, POB 3001, MALVERN PA 19355-0701
 4089745 +AMERICAS SERVICING COMPANY, PO BOX 10328, DES MOINES, IA 50306-0328
 4089747 +AMERICAS SERVICING COMPANY, PO BOX 10325, DES MOINES, IA 50306-0325
 4089748 BANK OF AMERICA, PO BOX 30750, LOS ANGELES, CA 90030-0750
 4089749 BANK OF AMERICA, PO BOX 15026, WILMINGTON, DE 19850-5026
 4152350 +BANK OF AMERICA, N.A., PO Box 26012, NC4-105-03-14, Greensboro, NC 27420-6012
 4089750 CITI BANK/ HOME DEPOT CREDIT, PO BOX 689100, DES MOINES, IA 50368-9100
 4089751 CITI CARD, PO BOX 6000, THE LAKES, NV 89163-6000
 4902018 +FIA CARD SERVICES, N.A., ATTN. MR. BK, 1000 Samoset Drive, DE5-023-03-03,
 Newark, DE 19713-6000
 4089752 ++INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS, PO BOX 21126,
 PHILADELPHIA PA 19114-0326
 (address filed with court: INTERNAL REVENUE SERVICE, CENTRALIZED INSOLVENCY OPERATIONS,
 P.O BOX 21126, PHILADELPHIA, PA 19114-0326)
 4089753 +JOSEPH H. BALLARD JR., 193 BREENBRIAR TOWNHOUSE WAY, LAS VEGAS, NV 89121-2457
 4089754 JUNIPER CARD SERVICES, PO BOX 13337, PHILADELPHIA, PA 19101-3337
 4852399 +Jefferson Capital Systems LLC, PO BOX 7999, SAINT CLOUD MN 56302-7999
 4089755 +MARTIN ALCANTANA, 3847 ALTO AVE., LAS VEGAS, NV 89115-3203
 4089756 +NATIONAL DEFAULT SERVICING, 2525 EAST CAMELBACK RD., STE 200, PHOENIX, AZ 85016-4224
 4089757 +NDSC, 2525 E. CAMELBACK RD, STE 200, PHOENIX, AZ 85016-4224
 4089758 +NEVADA DEPARTMENT OF TAXATION, 555 E. WASHINGTON AVENUE #1300, LAS VEGAS, NV 89101-1046
 4089760 OCWEN LOAN SERVICING, LLC, PO BOX 785057, ORLANDO FL 32878-5057
 4089759 OCWEN LOAN SERVICING, LLC, PO BOX 785057, ORLANDO, FL 32878-5057
 4108087 Ocwen Loan Servicing, Attn: Cashiering Department, P.O. Box 785053, Orlando, FL 32878-5053
 4775362 +PRA Receivables Management, LLC, As Agent Of Portfolio Recovery Assocs., PO Box 12914,
 NORFOLK VA 23541-0914
 4089762 +STATE OF NEVADA DEPARTMENT OF MOTOR VEHI, PUBLIC SAFETY, REG. DIVISION, 555 WRIGHT WAY,
 CARSON CITY, NV 89711-0001
 4089743 +THOMAS E. CROWE, 7351 W. CHARLESTON BLVD., SUITE 140, LAS VEGAS, NV 89117-1572
 4089763 WILSHIRE CREDIT CORP., PO BOX 8517, PORTLAND, OR 97207-8517
 4120516 +Wilshire Credit Corporation, Attn: Bankruptcy Department, PO Box 1650,
 Portland OR 97207-1650

The following entities were noticed by electronic transmission on Apr 01, 2010.

cr +E-mail/PDF: rmscedi@recoverycorp.com Apr 01 2010 01:58:09
 RECOVERY MANAGEMENT SYSTEMS CORPORATION, 25 S.E. SECOND AVENUE,
 INGRAHAM BUILDING, SUITE 1120, MIAMI, FL 33131-1506
 4829019 E-mail/PDF: mrdiscen@discoverfinancial.com Apr 01 2010 02:02:47 DISCOVER BANK,
 DFS Services LLC, PO Box 3025, New Albany, Ohio 43054-3025
 4089761 +E-mail/Text: USTPRegion17.LV.ECF@usdoj.gov
 OFFICE OF THE UNITED STATES TRUSTEE, 300 LAS VEGAS BLVD SO., SUITE 4300,
 LAS VEGAS, NV 89101-5803
 4771716 E-mail/PDF: BNCEmails@blinellc.com Apr 01 2010 02:02:37 ROUNDUP FUNDING, LLC, MS 550,
 PO BOX 91121, SEATTLE, WA 98111-9221
 4120088 E-mail/PDF: rmscedi@recoverycorp.com Apr 01 2010 02:03:28
 Recovery Management Systems Corporation, 25 S.E. 2nd Avenue, Suite 1120,
 Miami, FL 33131-1605

TOTAL: 5

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

cr AMERICA'S SERVICING COMPANY
 cr HSBC BANK USA, N.A., AS TRUSTEE FOR THE REGISTERED
 cr SELECT PORTFOLIO SERVICING INC
 4089746* +AMERICAS SERVICING COMPANY, PO BOX 10328, DES MOINES, IA 50306-0328
 4089742* +CHERYL BALLARD, 8045 SECRETARIAT LANE, LAS VEGAS, NV 89123-2057
 4089741* +JOSEPH H. BALLARD, 8045 SECRETARIAT LANE, LAS VEGAS, NV 89123-2057

TOTALS: 3, * 3

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0978-2
Case: 09-12690

User: ruhgejd
Form ID: pdf891

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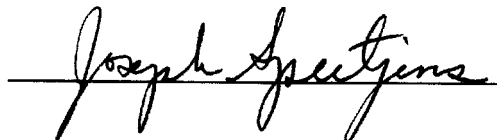
***** BYPASSED RECIPIENTS (continued) *****

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 02, 2010

Signature:

A handwritten signature in black ink, reading "Joseph Speetjens", written over a horizontal line.